

SENATE BILL No. 56

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-15-2.

Synopsis: Waiting period for divorce. Increases the waiting period before which a final hearing in a dissolution of marriage may be conducted if there are children of the marriage less than 17 years of age or if an objection to the dissolution is filed by either party. Retains 60 days as the waiting period before a final hearing in a dissolution of marriage upon a showing of domestic violence against a party or a party's child. (The introduced version of this bill was prepared by the interim study committee on marriage and family building initiatives.)

Effective: July 1, 2003.

Zakas

January 7, 2003, read first time and referred to Committee on Judiciary.

C
o
p
y



First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

SENATE BILL No. 56

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-15-2-10 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) Except as
3 provided in **subsections (b), (c), and (d) and** sections 13 and 14 of this
4 chapter, in an action for a dissolution of marriage under section 2 of
5 this chapter, a final hearing shall be conducted not earlier than sixty
6 (60) days after the filing of the petition.

7 **(b) A final hearing shall be conducted not earlier than one**
8 **hundred eighty (180) days after the filing of the petition if there is**
9 **a child of the marriage less than seventeen (17) years of age.**

10 **(c) A final hearing shall be conducted not earlier than one**
11 **hundred twenty (120) days after the filing of the petition if:**

12 **(1) there are no children of the marriage less than seventeen**
13 **(17) years of age; and**

14 **(2) an objection to the dissolution is filed by either party.**

15 **(d) Notwithstanding subsections (b) and (c), the final hearing**
16 **may be conducted not earlier than sixty (60) days after the filing of**
17 **the dissolution of marriage petition if either party in the petition or**



C
o
p
y

1 in a response filed to the petition asserts that the other party has
2 engaged in domestic violence against:

3 (1) the petitioning party; or

4 (2) the petitioning party's child.

5 SECTION 2. IC 31-15-2-13 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 13. ~~At least sixty (60)~~
7 ~~days~~ After a petition is filed in an action for dissolution of marriage
8 under section 2 of this chapter, the court may enter a summary
9 dissolution decree without holding a final hearing under this chapter if
10 there have been filed with the court verified pleadings signed by both
11 parties containing:

12 (1) a written waiver of final hearing; and

13 (2) either:

14 (A) a statement that there are no contested issues in the action;
15 or

16 (B) a written agreement made in accordance with section 17
17 of this chapter that settles any contested issues between the
18 parties.

C
o
p
y

